

REMARKS

I. Status of Claims

Claims 15-20 have been canceled without prejudice or disclaimer, which leaves claims 1-14 currently pending in the application. Applicant amends claims 1 and 9 for clarity. This amendment addresses each point of rejection raised by the Examiner. Favorable reconsideration is respectfully requested.

II. Rejection under 35 U.S.C. 112, second paragraph

Claim 20 is rejected for failing to provide sufficient antecedent basis for the term “said device.” The Applicants have canceled claim 20, thereby rendering this rejection moot.

III. Rejections under 35 U.S.C. §102(b)

Claims 1-14 are rejected under 35 U.S.C. 102(b) based upon a public use or sale of the invention and being anticipated by Leporini (U.S. Patent Application Publication No. 2003/0110382). The rejection is respectfully traversed.

Specifically, the Examiner maintains the rejection under 35 U.S.C. 102(b). First, Applicants reassert that the rejection is not proper under 35 U.S.C. 102(b). As discussed in the previous response, the United States filing date of the Applicants’ application is December 01, 2003. However, the publication date of the Leporini is June 12, 2003, which predates the Applicants’ U.S. filing date by only 5 months. Accordingly, Leporini was not published more than one year before the Applicants’ U.S. filing date and the rejection under 35 U.S.C. § 102(b) is improper. In addition, although a verified English translation is not required to render the Examiner’s rejection under 35 U.S.C. 102(b) improper, as alleged by the Examiner, the Applicants note that a verified English translation of the priority document was in fact previously submitted with a supplemental response, which was filed at the U.S. Patent and Trademark Office on May 21, 2008.

Furthermore, the Examiner has rejected claims 1-14 under 35 U.S.C. § 102(b) based upon alleged public use or sale. However, the Examiner has not provided any clear evidence of public use or sale of the invention more than one year prior to the Applicants' U.S. filing date. Accordingly, Applicants request that the Examiner provide evidence of this alleged public use or sale if the Examiner chooses to maintain the rejection under 102(b).

Nonetheless, the Applicants have considered the Examiner's rejection under 35 U.S.C. 102(e). Accordingly, the Examiner again refers to a hard disk (2100) disclosed by Leporini as being equivalent to a second demultiplexer, as disclosed by the Applicants. However, the Applicants respectfully disagree.

The hard disk (2100) disclosed by Leporini merely stores broadcasted data received and generated by the receiver/decoder (2000) (see paragraph [0199]). Leporini does not disclose, or even remotely suggest, that the hard disk (2100) is capable of demultiplexing streamed digital multimedia file. Moreover, since the hard disk is not capable of demultiplexing signals, all signals must be demultiplexed by a single demultiplexer (2010), which is contrary to the Applicants' teachings of providing a first and a second demultiplexer. Specifically, the receiver/decoder disclosed by Leporini may inadequately reproduce digital multimedia data other than digital multimedia broadcasting data in the decoder section of the receiver since the receiver must first decrypt demultiplexed digital broadcasting data at the conditional access section before decoding the data at the decoding section.

As discussed above, the Examiner refers to a hard disk (2100) as equivalent to a second decoder. The Examiner further alleges that Leporini teaches a conditional access section being merely positioned in the broadcasting receiving module since the conditional access section of Leporini must work together receiver/decoder to perform the function of security. The Applicants respectfully disagree.

The Applicants note that “[A]n invention is anticipated if the same device, including all the claim limitations, is shown in a single prior art reference. Every element of the claimed invention must be literally present, arranged as in the claim. The identical invention must be shown in as complete detail as is contained in the

patent claim." (see MPEP § 2131). Accordingly, since Leporini does not disclose a second decoder, as claimed by the Applicants, Leporini fails to teach, show, or suggest each and every element of independent claims 1 and 9. Therefore, Reconsideration and withdrawal of the rejection are respectfully requested.

In further regard to independent claims 1 and 9, the Applicants recite at least one exemplary embodiment that provides separately forming a first demultiplexer and a second demultiplexer. A conventional digital multimedia broadcasting receiver has a structure that indispensably decrypts demultiplexed digital broadcasting data *at the conditional access section* and then decodes the data at the decoding section. Therefore, the decoder module of such a conventional DMB receiver has a problem in reproducing non-scrambled digital multimedia data that do not need to be decrypted at the conditional access section. Accordingly, at least one exemplary embodiment of Applicants' teachings claimed in claims 1 and 9 provides an additional demultiplexer (i.e., the second demultiplexer) to deliver the digital multimedia data to the decoding section without decryption at the conditional access section.

Leporini fails to disclose any feature corresponding to the additional demultiplexer as claimed. Therefore, the receiver of Leporini does not provide the feature of processing both of digital multimedia data that do not need to be decrypted, and digital multimedia data that need to be decrypted, as claimed. Consequently, Leporini fails to disclose two demultiplexers respectively processing digital broadcasting data stream and digital multimedia data stream as claimed.

In addition, at least one exemplary embodiment of Applicants' teachings provides the conditional access section being disposed within a broadcast receiving module separated from a decoding section. Accordingly, a DMB receiver may be provided including a decoder module having a conditional access section being separate from a decoding section for decompression. Thus, the entire decoder module including the conditional access section does not have to be replaced when only the decoding section needs to be changed, as described, for example, in the background section of Applicants' application

Contrary to at least one exemplary embodiment of Applicants' teachings recited in independent claim 1 and 9, Leporini provides a decoder and a conditional access section in one decoder/receiver 2000, so the entire decoder must be replaced, when only the decoding section needs to be changed. Therefore, Leporini fails to teach, show, or suggest the features of separately forming a first demultiplexer and a second demultiplexer and a broadcast receiving module having a conditional access section being disposed separately from a decoding section. Reconsideration and withdrawal of the rejection are respectfully requested.

Regarding claims 2-8 and 10-14, the Applicants respectfully note that each ultimately depends from independent claims 1 and 9, respectively, which define over the prior art for at least the reasons discussed in detail above. Therefore, claims 1 and 9 also define over the prior art and reconsideration and withdrawal of the rejection are respectfully requested.

IV. Rejections under 35 U.S.C. §103 (a)

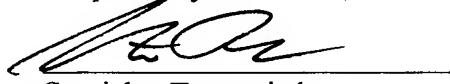
Claims 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leporini (U.S. Patent Application Publication No. 2003/0110382) and further in view of Ho (U.S. Patent No. 6,622,307). Applicants have canceled claims 15-20, thereby rendering this rejection moot.

CONCLUSION

In view of the above, it is believed that this application is in condition for allowance and notice to this effect is respectfully requested. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the telephone number indicated below.

Should any/additional fees be required, the Director is hereby authorized to charge the fees to Deposit Account No. 18-2220.

Respectfully submitted,



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